

JWV/RBM Information

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
 v.) **Case No.**
)
 JILL ROUSE BOOTHBY)

INFORMATION

The United States Attorney charges that:

INTRODUCTION

1. Beginning in 2008 and continuing through January 2015, the Defendant, JILL ROUSE BOOTHBY (“BOOTHBY”) was employed by Boothby Realty as a property manager.
2. Additionally, at all times relevant, BOOTHBY owned and operated an interior design business called Jill Boothby Designs.
3. Boothby Realty is a real estate and property management company. Boothby Realty manages homeowner association funds for numerous associations in the Northern District of Alabama.
4. As a property manager at Boothby Realty, BOOTHBY was personally responsible for the management of eleven (11) condominium associations within the Northern District of Alabama. BOOTHBY attended homeowner association

meetings, she assisted with the use and accounting of the homeowner association funds, she coordinated maintenance services at the properties, she helped bid contracts for maintenance and improvements to the properties, and she assisted the associations with budgeting. As expenses were incurred by the various associations, BOOTHBY would advise Boothby Realty's accounting personnel of the invoices and expenses to be paid from the homeowner associations' funds.

5. Beginning in late 2012 and continuing to in or about January 2015, BOOTHBY created false and fraudulent invoices in the name of her company Jill Boothby Designs for goods and services and submitted the various invoices to the eleven (11) condominium associations that she managed. The Jill Boothby Designs invoices contained descriptions of items purchased for the various associations, however the items were not actually purchased by BOOTHBY or Jill Boothby Designs from a third party vendor. BOOTHBY submitted the fraudulent invoices to Boothby Realty with a copy to the associations for payment out of the homeowner association funds. Boothby Realty paid the fraudulent invoices to BOOTHBY out of the homeowner associations' funds.

6. Each month, Boothby Realty mailed or emailed a monthly financial statement to the properties managed by BOOTHBY. To further conceal the fraud, BOOTHBY altered the monthly financial statements that were mailed or emailed to the associations.

COUNT ONE
Wire Fraud
18 U.S.C. § 1343

7. The United States adopts and realleges the allegations contained in paragraphs 1 through 6 of the Introduction to this Information as though fully set out herein.

8. Beginning in late 2012 and continuing to in or about January 2015, in Jefferson County within the Northern District of Alabama, and elsewhere, the defendant,

JILL ROUSE BOOTHBY

knowingly devised and intended to devise a scheme and artifice to defraud homeowner associations of money and funds and to obtain money and funds from homeowner associations by means of materially false and fraudulent pretenses, representations, and promises.

THE SCHEME AND ARTIFICE

9. It was part of the scheme and artifice that BOOTHBY would and did create false and fraudulent Jill Boothby Designs invoices.

10. It was further a part of the scheme and artifice that BOOTHBY would and did submit the false and fraudulent invoices to various homeowner associations for payment to Jill Boothby Designs.

11. It was further a part of the scheme and artifice that BOOTHBY caused Boothby Realty to issue checks based on fraudulent Jill Boothby Designs invoices that were withdrawn from the homeowner associations' funds.

12. It was further a part of the scheme and artifice that BOOTHBY altered the monthly financial statements that were emailed to homeowner associations.

13. It was further a part of the scheme and artifice that BOOTHBY would and did use the funds received for personal expenses.

WIRE FRAUD

14. On or about December 1, 2014, within the Northern District of Alabama, and elsewhere, the defendant,

JILL ROUSE BOOTHBY

for the purpose of executing the above described scheme and artifice, did transmit and cause to be transmitted in interstate commerce, by means of a wire communications, certain signs, signals and communications that is Defendant **JILL ROUSE BOOTHBY** caused invoice number 1390 from Jill Boothby Designs in the amount of \$5,000.00 to be transmitted by interstate wire communication containing false and fraudulent charges to Cabana Condominium Association.

All in violation of Section 1343 of Title 18 of the United States Code.

NOTICE OF FORFEITURE:
[Forfeiture – 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461]

The United States further charges:

1. The allegations of paragraphs 1-14 of this Information are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and 28 United States Code, Section 2461.

2. Pursuant to Rule 32.2(a), Fed. R. Crim. P., the defendant is hereby notified that, pursuant to 18 United States Code, Section 981(a)(1)(C) and 28 United States Code, Section 2461, the defendant,

JILL ROUSE BOOTHBY

upon conviction of the offense set forth in this Information, shall forfeit to the United States any property, real or personal, that constitutes or is derived from, directly or indirectly, proceeds traceable to the commission of the said violations, including but not limited to the following:

JUDGMENT FOR PROCEEDS:

A sum of money equal to \$375,000.00 in United States currency, representing the amount of proceeds obtained as a result of the offenses alleged.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeiture property described above.

All in accordance with Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, and Rule 32.2, Federal Rules of Criminal Procedure.

JOYCE WHITE VANCE
United States Attorney

/s/ Electronic Signature
ROBIN B. MARK
Assistant United States Attorney